

age. His passing saddens all who knew him and his death leaves a tremendous void in the American art community. My condolences and sympathies are with his wife Lindy and sons Alexander and Lain. While their husband and father may no longer be here, Frederick "Rick" Hart has achieved a kind of immortality through his great works of art.

SUPERFUND RECYCLING EQUITY ACT

Mr. LOTT. Mr. President, over the past three decades, concern for our environment and natural resources has grown—as has the desire to recycle and reuse. You may be surprised to learn that one major environmental statute actually creates an impediment to recycling. Superfund has created this impediment, although unintended by the law's authors.

Because of the harm that is being done to the recycling effort by the unintended consequence of law, the distinguished minority leader, Mr. DASCHLE, and I introduced the Superfund Recycling Equity Act, S. 1528. This bill removes Superfund's recycling impediments and increases America's recycling rates.

We had one and only one purpose in introducing the Superfund Recycling Equity Act—to remove from the liability loop those who collect and ship recyclables to a third party site. The bill is not intended to plow new Superfund ground, nor is it intended to revamp existing Superfund law. That task is appropriately left to comprehensive reform, a goal that I hope is achievable.

While the bill proposes to amend Superfund, Mr. President, it is really a recycling bill. Recycling is not disposal and shipping for recycling is not arranging for disposal—it is a relatively simple clarification, but one that is necessary to maintain a successful recycling effort nationwide. Without this clarification, America will continue to fall short of its recycling goal.

S. 1528 was negotiated in 1993 between representatives of the industry that recycles traditional materials—paper, glass, plastic, metals, textiles and rubber—and representatives of the Environmental Protection Agency, the Department of Justice, and the national environmental community. Similar language has been included in virtually every comprehensive Superfund bill since 1994. With nearly 50 Senate cosponsors, support for the bill has been both extensive and bipartisan.

Since Senator DASCHLE and I introduced S. 1528, some have argued that we should not "piecemeal" Superfund. They argue that every part of Superfund should be held together tightly, until a comprehensive approach to reauthorization is found. And given the broad-based support for the recycling

piece across both parties, some think it should be held as a "sweetener" for some of the more difficult issues. Superfund's long history suggests, however, that the recycling provisions—as sweet as they are—have done little, if anything, to help move a comprehensive Superfund bill forward. Rather, "sweeteners" like brownfields and municipal liability are what keep all parties at the table.

Holding the recyclers hostage to a comprehensive bill has not helped reform Superfund, and continuing to hold them hostage will not ensure action in the future. What it does ensure is that recycling continues to be impeded and fails to attain our nation's goals.

This recycling fix is minuscule compared to the overwhelming stakeholder needs regarding Superfund in general, but so significant for the recycling industry itself. It is easy to see why this bill has achieved such widespread bipartisan support among our colleagues.

S. 1528 addresses only one Superfund issue—the unintended consequence of law that holds recyclers responsible for the actions of those who purchase their goods. The goal of this bill is to remove the liability facing recyclers, not to establish who should be responsible for those shares if the unintended liability is removed.

Senator DASCHLE and I have heard from various parties who want to add minor provisions outside the scope of the bill. Although many have presented interesting and often compelling arguments, I will continue to ask that any party wishing to enlarge the narrow focus of S. 1528 show support on both sides of the aisle, as well as from the administration and the environmental community.

Much time, energy and expertise went into crafting an agreement where few thought it was possible. That agreement has been maintained through four separate Congresses where all sorts of attempts to modify it have failed. Congress should accept this delicately crafted product.

S. 1528 shows Congress' commitment to protect and increase recycling.

S. 1528 repeats what we all know and support—that continued and expanded recycling is a national goal.

S. 1528 removes impediments to achieving this goal, impediments Congress never intended to occur.

The nearly 50 Senators who have already co-sponsored this bill recognize the need to amend Superfund for the very important purpose of increasing recycling in the public interest. Let's act this year.

MODERNIZATION OF THE ABM TREATY

Mr. COCHRAN. Madam President, I rise today on a substantive issue which has caused me considerable concern recently. It has to do with the issue of

our national missile defense and the fact we passed legislation earlier this year on that subject, and we now hear the administration discussing its options under the National Missile Defense Act. We hear responses from around the world about the intent we have that is now in our law to deploy a limited national defense system. I want to speak on that subject for a minute or two.

When we passed the National Missile Defense Act, we all realized, and the President did, too, when he signed it, that the ABM Treaty, the antiballistic missile defense treaty, that exists between the United States and Russia, prohibits the deployment of a national missile defense system and that the treaty would have to be amended if it was to remain in force.

Some statements being made on the subject now by our own administration, as well as by Russian officials, cause me considerable concern. For example, the Secretary of State recently said that the administration was examining "the possibility of adjusting [the ABM Treaty] slightly in order to have a National Missile Defense."

Since article I of the treaty expressly prohibits a national missile defense, the Secretary's suggestion that only a slight adjustment is required in the treaty language is a huge understatement, and it is likely to mislead the Russians and others as well.

The National Missile Defense Act acknowledges our policy of pursuing arms control arrangements, but it requires the deployment of a limited national missile defense which contradicts the initial premise of the ABM Treaty.

A number of Russian Government officials have said they will not negotiate changes in the ABM Treaty. A Russian foreign ministry spokesman has been quoted as saying it is "absolutely unacceptable to make any changes in the key provisions of the treaty and the Russian side does not intend to depart from this position."

A Russian defense ministry official has said: "There can be no compromise on this issue."

Additionally, it has been reported that Russian and Chinese Government representatives have introduced a resolution in the U.N. General Assembly demanding the United States forego deployment of a missile defense system and strictly comply with the treaty's prohibition on territorial defense.

It is entirely inappropriate for the U.N. to consider seriously a resolution that would presume to dictate to the United States what we should or should not do in defense of our own national security. Ballistic missile threats are real and have caused our Government to adopt a policy that requires a deployed national missile defense.

It is my fervent hope our own Government will acknowledge clearly that